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### General Summary of News.

#### EUROPE.

The triumphant success of the friends of humanity in carrying their measure for a revision of the Criminal Law, in opposition to such unfeeling advocates for its efficacy as my Lord Castlereagh and Mr. Canning, who would rather indulge in bitter sarcasms on "the revered and ruptured Ogden," and "the cribbed, the cabined, the confined O'Halloran," than wipe away one tear from the eye of hopeless misery, or blot out one stain that sullied the purity of our legal system;—this triumph of humanity over the advocates of cruelty in its worst form, must we think be hailed with exultation, not only by every lover of his country, but by every friend of the human race.

In a late Number of the Pamphleteer, in which are included the essays and shorter writings of all the distinguished men of the age; is a very luminous and interesting Paper, written by Basil Montague, Esq. and entitled "Some Inquiries respecting the punishment of Death for crimes without violence." It is luminous, inasmuch as all the authorities, ancient and modern, that could be cited on the subject, are brought under one view, for illustration and comparison; and interesting, as much from the talent displayed on both sides of the question, as from the high and paramount importance of the subject.

At the present moment, when this topic has justly such a strong claim on public consideration, we cannot perhaps perform a more useful task, nor certainly one more agreeable in every respect to ourselves, than to lay before our readers (more particularly as the work itself is of very recent date, and in the hands of but few persons in India,) such portions of these Inquiries as may tend to strengthen our gratitude to those illustrious Statesmen who have succeeded in at length forcing the attention of the Parliament to the reform desired, and to impress us with a due sense of the importance of the benefits likely to be attained by them for society at large.

The progress of knowledge respecting sanguinary punishments, which began in the year 1651, and from thence slowly advanced, has of late rapidly increased.

The following is a list of eminent authors and statesmen, who have been advocates for a mitigation of sanguinary punishments; with a list of the members of Parliament who have supported and opposed the punishment of death, for privately stealing to the amount of five shillings, or stealing to the amount of fifty shillings from a dwelling.

#### Writers in favour of the Mitigation.

Sir Thomas More . . . 1520	Samuel Chudleigh . . . 1651
Erasmus . . . 1520	Baron Montesquieu . . . 1750
Sir Walter Raleigh . . . 1611	Dr. Johnson . . . 1751
Sir Edward Coke . . . 1620	Sir W. Blackstone . . . 1758
Lord Bacon . . . 1620	Oliver Goldsmith . . . 1760
Chillingworth . . . 1640	Beccaria . . . 1767

Voltaire . . . . . 1770	Charles James Fox . . . 1785
Eden . . . . . 1775	William Pitt . . . . . 1786
Mercier . . . . . 1780	Franklin . . . . . 1787
Pinel . . . . . 1780	Pastoret . . . . . 1790
Sir S. Romilly . . . . 1784	Bradford . . . . . 1795
Gilbert Wakefield . . . 1785	Bentham . . . . . 1799
Howard . . . . . 1785	Thomas Clarkson . . . 1809
William Cowper . . . . 1785	Dr. Samuel Parr . . . 1809
Turner . . . . . 1785	William Roscoe . . . .
Lord Ashburton . . . . 1785	Sir James Mackintosh . 1811

#### Speakers in favor of the Mitigation.

Mr. Abercrombie.	Mr. Marryatt.
Sir John Anstruther.	Sir Ralph Milbank.
Mr. Canning.	Mr. Morris.
Lord Erskine.	Sir John Newport.
Sir William Grant.	Lord Nugent.
Lord Grenville.	Sir A. Piggott.
Lord Grey.	Mr. Ponsonby.
Lord Holland.	Sir Samuel Romilly.
Mr. Horner.	Mr. Wm. Smith.
Marquis of Lansdowne.	Lord Suffolk.
Lord Lauderdale.	Mr. Whitbread.
Mr. Macdonald.	Mr. Wilberforce.
Sir James Mackintosh.	Mr. C. W. Wynne.

Let us follow the progress of opinion: first through the writings of the illustrious men, who have lent their names to so glorious a cause, and then through the speeches of those who have expressed their sentiments on it in the senate of their country.

*Dr. Johnson.*—In his admirable Essay on Capital Punishments, Johnson says, He who knows not how often rigorous laws produce total impunity, and how many crimes are concealed and forgotten, for fear of hurrying the offender to that state in which there is no repentance, has conversed very little with mankind. And, whatever epithets of reproach or contempt this compassion may incur from those who confound cruelty with firmness, I know not whether any wise man would wish it less powerful or less extensive.

*Sir W. Blackstone.*—In his Commentaries on the Laws of England, this writer says, Yet, though in this instance we may glory in the wisdom of the English law, we shall find it more difficult to justify the frequency of capital punishment to be found therein, inflicted (perhaps inattentively) by a multitude of successive independent statutes, upon crimes very different in their natures. It is a melancholy truth, that, among the variety of actions which men are daily liable to commit, no less than a hundred and sixty have been declared, by act of parliament, to be felonies without benefit of clergy; or in other words, to be worthy of instant death. So dreadful a list, instead of diminishing, increases the number of offenders. The injured, through compassion, will often forbear to prosecute; juries, through compassion, will sometimes forget their oaths

and either acquit the guilty or mitigate the nature of the offence; and judges, through compassion, will respite one half of the convicts, and recommend them to the royal mercy. Among so many chances of escaping, the needy and hardened offender overlooks the multitude that suffer; he boldly engages in some desperate attempt, to relieve his wants or supply his vices; and, if unexpectedly the hand of justice overtakes him, he deems himself peculiarly unfortunate, in falling at last a sacrifice to those laws, which long impunity has taught him to contemn.

*Beccaria.*—What right have men to cut the throats of their fellow-creatures? Certainly not that, on which the sovereignty and laws are founded. The laws are only the sum of the smallest possible portion of the private liberty surrendered by each individual, and represent the general will, which is the aggregate of that each individual. But did any one ever choose to resign to others the right of taking away his life? Can it be supposed, that in the smallest possible portions of the liberty of each sacrificed to the good of the public, is comprised the greatest of all goods, life? And even admitting this to be the case, how is such a principle to be reconciled with the maxim which prohibits suicide? Either man must have a right to dispose of his own life, or he must be incapable of transferring to another, or to an entire society, what he does not himself possess.

The punishment of death is not authorised by any right. I have demonstrated that no such right exists. It is therefore a war of a whole nation against a citizen, whose destruction they consider as necessary, or at least useful to the general good. But, if I can further demonstrate that such a measure is neither necessary nor useful to that good, I shall have gained the cause of humanity.

*Franklin.*—The power over human life is the sole prerogative of him who gave it. Human laws, therefore, rise in rebellion against this prerogative, when they transfer it to human hands.

There was a time, when the punishment of captives with death or servitude, and the indiscriminate destruction of peaceable husbandmen, women, and children, were thought to be essential to the success of war, and the safety of states. But experience has taught us, that this is not the case.

The case of a civil ruler and his subject is much like that of a father and his minor son. If the son behave himself unseemly, the father may correct him. If, after all due admonitions and corrections, the son should prove to be incorrigible, the father may expel him from his family; and he may disinherit him: but he must not kill him. All civil governments originated in families. The father of the family had a natural right of jurisdiction over his descendants, and an acquired right, on account of the support and protection afforded them during their infancy and childhood. And, by the alliance or union of many families, it became national. But the stream cannot rise higher than the fountain. If no father have a right to inflict the punishment of death on his minor son for any crime, then a million of fathers would have no right, by themselves, or by their representatives, to do it. In such case, numbers, power, and substitution, considered either severally or jointly, cannot create or increase a right. And I humbly conceive, that the rightful jurisdiction of the civil magistrate over any member of the community, never can rise higher than that of a father over his son during his minority.

In the next place, I will consider what the scripture says concerning this barbarous custom of shedding the blood of our own species. The sixth commandment says, "Thou shalt not kill." Or in other words, Thou shalt not take away the life of any human being. This commandment requires the preservation, and forbids the taking away of our own life, or the lives of others. It had no exception or proviso annexed to it when it was given; and needs none to make it perfect and complete.

In order to establish the right of punishment, it is necessary to suppose that men as a body have consented to put their lives in competition with a horse, a cabbage, or a piece of metal: a supposition too absurd to deserve a serious answer.

Let us, however, admit such a supposition, since the advocates for punishment of death have and can have no other pretext; let us argue as if we had somewhere read this inconceivable contract, as if each of us did not hear the voice of reason and nature crying aloud against its possibility; in a word, let us take it for granted, that men have with one accord made this convention among themselves; yet it would be no less unjust and nugatory.

I say that it would be unjust, because it would be disproportionate, and would confound all the relations of things.

I say that it would be void, because it could only be the fruit of folly, and because folly does not constitute right. It would be void also, because it is not in any man's competence to dispose of his life, since this does not belong to him, and no one can transfer a right, which he has not.\*

To prove still more clearly the absurdity of this imaginary compact, let us suppose it to be made between two men in our own time, and that he who had made himself liable to the penalty should appeal to one of our tribunals to release him from it. Is there a judge in the world that would dare to enforce the execution of it? Would it not be null in itself, because it would imply an immense punishment for the privation of a simple convenience? Would it not be pronounced to be a violation of the first principles of sound morality? But this view decides the question: for an agreement that would be void between two men is no less so between a million, and the consent of a whole nation cannot alter the essential nature of things.

We may conclude then from all that has been said, that the right of inflicting the punishment of death no where exists; that the laws which inflict this punishment are as unjust as they are barbarous, and that every time they are carried into execution, an outrage is committed against human nature. I know well enough that such are not the sentiments of tyrants and executioners, but they are the sentiments of truth and reason.

*Jeremy Bentham.*—The punishment of death is not popular, it becomes less and less so every day; in proportion as men's understandings are enlightened, or their manners softened. The populace run to an execution; but this eagerness, which at first seems so disgraceful to humanity, is not owing to the pleasure of beholding the unfortunate suffer in the agonies of death; it is nothing more than the desire to be strongly roused by a tragical exhibition. There is however a single exception, in which capital punishment is popular, and that in the highest degree, namely, in the case of murder. The public sentiment seems founded on the analogy between the crime and the punishment, on the principle of revenge, and perhaps also on the terror excited by the character of the criminal. 'Blood will have blood,' and this act of retaliation seems conformable to natural justice. In all other cases, generally speaking, the punishment of death is unpopular, and this unpopularity produces different dispositions, all equally contrary to the ends of justice—a disposition in the injured party not to prosecute culprits from a reluctance to bring them to the scaffold—a disposition

\* Men certainly are not proper masters of their own lives. This truth has been so generally recognised by lawgivers, that in almost all countries suicides are stigmatised. The laws in this case are absurd, I know; but it is not because they are not just, but because they are ineffectual. In fact, if it be the fear of pain which gives laws their force, with what evil is it possible to threaten him to whom life itself is an evil? and after the suicide has effected his purpose, on whom is the punishment to fall? Legislators are not aware of the injury they do to wise laws, when they promulgate laws that are senseless. They thus accustom the people to despise the laws, and it is easy to perceive the consequence.



in the public to favor their escape—a disposition in the witnesses to withhold their evidence or to soften it—a disposition in the judge to favor the accused through compassion. Now all these dispositions, contrary to the intent of the legislator, throw the greatest uncertainty over the execution of the laws; not to insist that the respect due to them is as it were lost when it seems meritorious to elude them.

*Poulson.*—In the formation of a man, God was graciously pleased to endow him with certain rights (such as his life, his conscience, his day of probation, &c.) which are *unalienable*. A man may transfer a right to another to control his person—to regulate his conduct—to exact his services—and to receive the profits of them. And for these transfers he may receive an equivalent. But no man can transfer his life to another, nor a right to take it from him. Life, in the sense of the question, is the union of soul and body; and death, the dissolution of that union. Nothing can pass to the purchaser by such dissolution: and no equivalent can be received. No man hath a right to destroy his own life; his own to preserve, but not to transfer, nor to destroy. “What God hath joined, let no man put asunder.” Suicide is a great crime!—But many persons will readily grant, that no man in his private capacity had a right to take away the life of another for any crime; yet they say that our legislative and executive bodies have a right to do it. We will inquire whence they derive this right. Suppose each town in the state to contain 200 freemen, with a right to choose two representatives, to represent them in the General Assembly. I will allow, that these representatives are invested by the freemen with full power of substitution. But no man can invest another, as his attorney or representative, with a right which he himself does not possess. A. cannot, by substitution, invest B. with a right to sell the farm of C. Suppose the right of each freeman in this state, of taking away the life of another person, to be represented by a cypher, (as well it may be,) I ask, how many of these cyphers will make an unit. If no freeman in this state has a right to destroy his own life, or the life of any other human being; then all the freemen assembled together would have no right to do it; and they could not delegate to any person or persons, a right to do it for them: for no delegated person can have more right than all his constituents. Besides, in all civil societies, men give up to the public only a part of their natural rights, for the purpose of more effectually securing those rights which they retain to themselves. They always give up the less and retain the greater. But if they could and should give up their lives, they would give up all and retain none. In this place it ought to be remembered, that it is incumbent on my opponents to prove, that the commission, which our civil tribunals receive from the General Assembly, gives them a *rightful* jurisdiction over the life of men. It appears to me, that I have said as much as can be reasonably expected from the negative side of the position. I consider the case as being cognizable, *only*, before a higher court. And until they can show a commission from God, the *sole Arbiter* of life and death, specially directed to them or to all civil magistrates, investing them with a jurisdiction over the human life, I shall question their right of taking away the life of any human being.

Let us examine, after these united testimonies of great and able writers, the sentiments of the principal public speakers on this important question.

In the year 1810 Sir Samuel Romilly submitted to the consideration of parliament, a bill for the abolition of the punishment of death for stealing to the amount of five shillings privately from a shop. The following are extracts from the debates in the two houses of parliament.

*Sir Samuel Romilly.*—From Sir Stephen Jansen's tables, it appears, that there were convicted at the Old Bailey, of shoplifting and other offences of the same nature, in the period

from 1749 to 1771, 240 persons, and of these no less than 109 were executed. What has been the number of persons convicted of those offences within the last seven years, does not appear; but from the tables published under the authority of the secretary of state, we find that within that period there were committed to Newgate for trial, charged with the crime of stealing in dwelling-houses, 599 men and 414 women; and charged with the crime of shoplifting, 506 men and 353 women: in all 1872 persons, and of these only one was executed.

*Master of the Rolls.*—It is clear that the law and the practice are at total variance with each other. The law says that the punishment of death shall be inflicted for stealing to the amount of 40 shillings in a dwelling-house. The practice says it shall not be inflicted.

*Mr. Wilberforce.*—It has been admitted, that of 1872 persons convicted of this offence, one only has been executed.

*Mr. Canning.*—Upon the next topic, whether the certainty of the punishment is not diminished by the opinion entertained of its severity, there is one fact which seems to be admitted as indisputable; I mean, that the punishment awarded by the statute is inflicted upon a very few of the offenders who are committed for trial: unless I am mistaken, it is not inflicted upon one in a thousand.

*Lord Erskine.*—It must be admitted by those who opposed the bill, that the punishment of death, inflicted by the statute of William, was in no instance carried into execution: and the instances, if any should occur, must be rare, where the severity could be applied. He remembered, when he had the honor of being consulted as one of his majesty's advisers, that it would have been impossible, he believed, for any conviction for this offence to have come under their consideration, which would have reconciled his mind to have advised His Majesty to carry the law into execution.

*Lord Lauderdale.*—No man can deprecate more than I do, a system of speculative legislation; but what will your lordships say of a law which, in the course of seven years, has been only once put into execution?

*Sir J. Newport.*—It is a system which in theory outrages humanity, is in opposition to the general feelings of the civilised world, and is incapable of practical application. The theory of our law, and the practice of our nation, are at direct variance with each other.

*Sir S. Romilly.*—According to the practice which now prevails, this most important discretion is constantly assumed by persons to whom the constitution has not intrusted it, and to whom it certainly cannot with the same safety be intrusted; by prosecutors, by juries, and by witnesses. Though for those thefts which are made capital by law, death is seldom in practice inflicted; yet as it is the legal appointed punishment, prosecutors, witnesses, and juries, consider death as that which, if it will not with certainty, yet possibly may be the consequence, of the several parts which they have to act in the judicial proceeding: and they act their parts accordingly, though they never can, in this indirect way, take upon themselves to prevent the execution of the law, without abandoning their duty; and in the case of jurymen and witnesses, without a violation of their oaths.

Sir S. Romilly said, the fact undoubtedly was, that persons robbed submitted patiently to the wrong, because they apprehended that a complaint might cost the offender his life; that this most frequently happened in those offences which are considered as the most aggravated of any that come within the description—the robbery by servants of their master's property;—how many persons are there who think that the loss of their property is nothing when compared with the evil of having the rest of their days embittered by the recollection that:

they had sent to die by the hands of the executioner, a fellow-creature with whose countenance they had been familiar, and who had been for years attending them, and doing them offices of kindness! That it was not prosecutors only, but witnesses and jurors, who were deterred by the severity of the law, from a just discharge of their duty. That jurors were in the habit, to avoid the severe penalty of the law, of acting in violation of the sacred oaths they had taken, and of finding verdicts against the clearest evidence.

*Sir J. Newport.*—Instances of this occur daily; and are, I make no doubt, in the recollection of many gentlemen now present. To one, amidst many, I will request a moment's attention. Some years ago an act was passed in Ireland by which it was made a capital felony to cut down a tree by day or night. A gentleman who dedicated much of his property and most of his time to agricultural improvements; who had planted much, and was much attached to his plantations, was the first to rejoice at this additional security to his property; and having, before the act passed, suffered much from these depredations, he again and again declared, that, in the event of detecting any offender, the law should be put in force. An occasion soon occurred. An offender was detected in the very act of destroying his plantations, and was committed for trial at the ensuing assizes. I well know what my friend endured upon that occasion:—I had the happiness of his friendship, and the honor of his confidence;—he was a man of the highest worth, and of undaunted public spirit; he never relaxed in his resolution to enforce the law; he prepared to proceed, and did proceed to the assize town, but there his fortitude at last failed: he declared that after the most agonising deliberation, he could not reconcile to his notions of justice the propriety of being the cause of the untimely death of a fellow-creature for having cut down a tree. My worthy friend afterwards stated to me, that, great as he considered the injury to society in suffering the criminal to escape with impunity, yet he could not be instrumental in procuring his condemnation, even though the crown might remit the punishment. Such was the mode in which a man, far above the weaknesses likely in most cases to interfere, decided.——This, Sir, is the way in which every man who possesses the common feelings of man's nature, must decide in cases where there is not any proportion between the crime and the punishment. But the baneful effects of severe laws are not confined to the minds of prosecutors alone. They have a sensible influence upon the offenders themselves, who calculate upon the chances of escape, from their knowledge that many of their companions have eluded the law, not only by the unwillingness of prosecutors to proceed, but by the dispositions of juries to decide, as it is called, in favor of mercy:—ought laws thus to remain a dead letter?—ought this perjury, however it may be sanctioned by the motives, to be encouraged?—The honorable gentleman, unmindful of the evil attendant upon this lenity of juries, has adduced it as an argument in his justification for opposing the bill, when it is one of the strongest reasons for supporting the salutary measure. Every legislature should well consider the importance of not encouraging any relaxation of those moral obligations, upon which the high feeling, the happiness, and the virtue of society so much depend. Perjury can never be justifiable, whatever be the motive; and of all perjury, that of a jury is most to be dreaded.

*Lord Suffolk.*—To the general principles upon which the present bill is brought forward, I most cordially assent; but I am more thoroughly induced to give it my support, upon the particular argument urged by my noble friend, namely, that the excess of the punishment deters the injured from prosecuting the guilty. My lords, I cannot doubt the truth of this argument, for I am myself an humble instance of its force. It happened to me, my lords, about four or five years since, to leave my house in town for the purpose of going into the

country. An old and faithful servant was left in the care of it till my return. In about four or five days I came to town again, and found, to my surprise, that my servant had fled during my absence, carrying off with her a considerable quantity of plate and other property. Now, my lords, there were many causes which operated with me to abstain from prosecuting this unfortunate woman. She was aged, and the course of nature had already marked her by many infirmities for a speedy but natural dissolution—she had been the dupe of a designing villain, who instigated her to the theft—she was friendless and she was poor. My lords, public duty pointed out the course I ought to take. I knew I ought immediately to go before a magistrate, who would have committed her for trial—I must have appeared in a court of justice, as the prosecutor against her, and have embittered my own life by the consciousness of having shortened her's. My lords, humanity triumphed over justice and public duty. I was constrained to turn loose upon the public an individual certainly deserving of punishment, because the law of the land gave me no opportunity of visiting her with a castigation short of death. My lords, upon this ground alone, and for the sake of public justice, this law ought, in my opinion, to be amended. For the sake of the injured, and not of the guilty, I am an enemy to inordinate severity. The prosecutors are those who fear death, and not the persons offending.

*Lord Lauderdale.*—How, my lords, can you compel an unwilling witness to state to the court and jury every matter he knows, which may have the effect of injuring an offender whom he may pity under his misfortunes? In him, therefore, my lords, there virtually rests a power of mitigating the severity of the punishment. How, my lords, can you prevent the jury, through compassion, from forgetting their oaths, and either acquit the guilty altogether, or mitigate the nature of the offence, in order to secure them from the severity of punishment? And lastly, my lords, with respect to the judges themselves, how can you prevent a judge, through a mistaken notion of compassion, from respiting the offender, or recommending him to the royal mercy?

*Master of the Rolls.*—It can scarcely be necessary to observe, that the laws ought not in any country to be in direct opposition to the general opinion. So much of the execution of law depends upon the public, that their concurrence in the propriety or repugnance to the existence of the law, is always an object highly deserving of the consideration of every legislature. But important as it is to the administration of justice in every country, in England it is all in all. We have not any public prosecutor; the feelings and opinions of the party injured must consequently decide whether a prosecution shall be instituted or avoided. The offender may be guilty, the offence may have been committed, but the harshness of the punishment may prevent any prosecution, and, if instituted, must influence the witness—Our juries are selected from the people: they are to decide upon the guilt or innocence of the accused:—Is not their opinion deserving of the most serious attention? If the law is not approved by those upon whom its execution immediately depends, will it not be relaxed, and will not guilt escape with impunity? Juries are now in a manner forced by their conceptions of the severity of the law, to assume a discretion which was never intended to be given to them. The exercise of any discretion by a jury is most dangerous. They are sworn to try the issue, and to give a true verdict according to the evidence. Upon the sanctity of this oath, the trial by jury depends. Relax it, and think what may be the consequences. Ought laws to be so framed that there must be a continual struggle in the minds of your jurymen, whether they shall violate their consciences, or distress the best feelings of our nature by adhering to the law? The public opinion upon this subject cannot be misunderstood. The deviation by jurymen from the solemnity of their oaths, so far from being censured, has almost been sanctioned by great authorities under the loose phrase of



*pious perjury.* The consequences are obvious: it now has become almost a matter of course for jurymen to avail themselves of every possible circumstance to acquit the prisoner of the capital part of the charge. They know, indeed, that the executions are few; they cannot be unmindful of the lenity of the judges; but, notwithstanding this, they are unwilling to risk any thing; they will not trust to another the use of a discretion which they have the power and disposition to exercise themselves. But this evasion of the law does not stop with the prosecutors; nor is this mitigation of its severity confined to the juries: it extends higher:—it is easily discovered in the charges made by the judges from the bench:—it is seen in their constant intercession for mercy: it is seen in the conduct of the King's advisers, who, influenced by the same anxiety to spare the lives of this class of offenders, readily apply and easily obtain from the throne a remission of the sentence. This universal confederacy amongst the middling classes of society not to punish these offences by death; this conduct of the higher orders in dispensing with the law, is to me conclusive evidence that, in the advanced state of civilization in this country, the punishment of death is too severe for this crime.

We have left ourselves but little room to enlarge on other topics of European intelligence; but we have deemed this of too great importance to be passed over slightly, and the length to which we have gone in this, will plead our apology for the omission of other European matter.

#### MAURITIUS.

Our readers will remember the account that we gave sometime since regarding the fate of the *Iris*, Free Trader, Captain Jones, which was wrecked on the Salomon Islands, and afterwards relieved by the French schooner *La Vertu*.

In the Mauritius Gazette of the 8th of May, which has just come to hand, we find the following paragraph regarding this event.

"The schooner *La Vertu* which sailed from this Port on the 14th of January, 1819, on a voyage to the Island of Peros Banhos, on the 8th February, being in the roads of Salomon's Island, an English ship steering Northward struck in the passage; she proved to be the *Iris* of London, Captain Jones, bound to Bombay; the Captain took forcible possession of the schooner on the 14th, on which, himself, seven men, two ladies and two children, passengers, embarked, intending for Ceylon, but for want of water were obliged to put in Padang. Captain Legour reports that 14 or 15 men are still remaining on Salomon, Latitude 5. 20 S. Longitude 72. 25 E."

Speculations in rice for the supply of the Mauritius have, as we understand, been lately undertaken from Calcutta, under an impression of its being in great demand there.—The following paragraph from the Mauritius Gazette of the 15th of May, which is published as a Government Notification, will tend to remove that impression and show that it must be pretty abundant.

"It having been represented to Government, that some of the Inhabitants who have suffered by the late Storms, cannot conveniently at this moment pay for the Provisions necessary for their Families and Slaves—Major General Darling, with a view to the accommodation of those Individuals, has been pleased to order, that a portion of the Rice belonging to Government, shall be disposed of on a credit of Six Months, at the rate of 4 Dollars, 90 Cents per Bag of 150 lbs. in the same proportions as are specified in the Government Notice of the 30th September, 1818."

The following account of the loss of the Dutch ship of War on the Island of Diego Garcia, is from the last Mauritius Gazette received, of the 22d of May.

"The American brig *Pickering*, Captain St. Edes, entered this Port on the 10th of April last, having on board some Off-

cers and Seamen of the Dutch Royal Marine, and part of the Crew of the Admiral Evertzen, a ship of the line commanded by Captain-Lieutenant Verheul, bearing the flag of Rear Admiral Buiskes, Commander of the Order Military, and lately Dutch Commissary General in the Indies, who also was on board the said brig.

Amongst the Passengers were the Councillor of State Elout, Commander of the Order of the Belgian Lion, and late President Commissary General of the King of the Netherland's Possessions in Asia, and Mr. Doeff, Chevalier of the Order of the Belgian Lion, and Ci-devant Chief of the Residency of Japan.

The Admiral Evertzen, sailed from the Straits of the Sound, on the 21st of March last, and towards the latter end of that month, was found to be in so very leaky a state, that notwithstanding all the exertions made at the pumps, it was with difficulty she could be kept afloat: Being in Latitude 15. 10 S. and 85. 20 E. of Greenwich, with strong Southerly winds and a heavy sea, the Admiral was induced to bear away for Diego Garcia.—This Island was discovered on the 8th of April, but the prevalence of strong Southerly winds rendered the entrance into the Bay impracticable, more especially from the strong contrary currents,

In the interval, the American brig was descried, and Captain Edes, having observed the signals of distress, made the ship, and with the most laudable exertions afforded every assistance in his power.

The loss of the maintop-mast, the damages sustained in main-yard and rigging, and the fatigues the crew had undergone in working at the pumps ten days and nights consecutively without intermission, prevented the performance of the necessary manœuvres for keeping the wind.—Notwithstanding all the exertions that were made, the leak was found to gain considerably, and as the weather wore the appearance of becoming worse, the only consideration that remained was to devise the means of saving the lives of 340 men.—The Rear Admiral therefore resolved upon abandoning the ship at Sea, and happily the whole were embarked on board the *Pickering*, which entered this Harbour in the night of the 10th of April.

The Inhabitants of Diego Garcia eagerly afforded the shipwrecked all the assistance that lay in their power, a number of whom have been left at this Island, and for whose relief preparations are already making.

The cordial assistance of Governor Darling and Captain Collier, commanding the Royal English Frigate *Liverpool*, stationed in this Port, will soon put an end to the sufferings experienced by all that have been shipwrecked."

#### ASIA.

We have received Penang Gazettes to the end of June, and observe in them the following articles of intelligence, which we give literally:—

*Penang.*—A Coroner's Inquest was held on the 11th of May, at Sunghy Piot on the opposite shore, within the limits of the Honorable Company, on the body of Putay, a Malay, whose remains were found in the jungle on the 9th, in a dreadfully mangled state. It appeared, that the deceased had been missing the two preceding days, and from the state of the body being half devoured, it was concluded that he was carried away and destroyed by a tyger, the impression of that animal's feet being also discovered near the body.

We are obliged to a friend for the following extract of a Letter written from Pedier Roads, by a passenger on board one of the Transports:

*Pedier Roads, June 2.*—"You will hear by the *James Scott*, which returns to Penang, of the abominable weather that has forced us back into this place. We hope to be able to try our

luck again in a day or two, and are in the mean time very busy collecting such supplies for the sepoy as this miserable place affords.

"Our touching here may prove of some public use, as it will give us an opportunity of taking to Calcutta the latest and most authentic intelligence respecting the state of this country and of the affairs of its Sultan, Jowhar Allum. Colonel O'Halloran, whose ideas of a Sultan were of course all founded on the Nabobs of Lucknow and other great Princes of India, landed here in state shortly after our arrival; his surprise and embarrassment were rather amusing when he saw a poor creature surrounded only by a set of half starved Chooliahs, sitting in a wretched common Artap house. The King, however, behaved with much civility, and talked a great deal about his future plans and operations. He said (which I can scarcely credit) that the late Commissioners had promised by their Treaty to send him immediately from Penang a Lac of Rupees, and a large supply of Military Stores; and that his Prime Minister had gone to receive them. He applied to the officers of the 20th Regt. for a Book on Drill, saying that he was going to raise a Corps of 600 men, and that the moment his Military Stores arrived, he intended to march, with his great guns in front, all along the sandy beach from Pedier to his good city of Acheen! I dare say he will never be able to execute one half of his present intentions, for he does not appear to have one respectable native near him, and seems to possess a considerable portion of that kind of good nature which generally goes by a harder name. I make no doubt, if his story about the money and Military Stores be true, the former will soon be squandered away, and the latter share the same fate with the handsome service of porcelain which Lord Minto sent him some years ago, but the greater part of which was shortly after hawked about Penang for sale."

The following Letter appears in the Gazette of the 19th of June, as an official notification:—

TO CAPTAIN BURNEY,

*Military Secretary to the Honorable  
the Governor, &c. &c. &c.*

SIR,

Agreeably to the orders of the Honorable the Governor communicated to us this morning, we have the honor to inform you that we proceeded on board the native brig "Salaamut" arrived from Malacca, and carefully inspected the Crew and Passengers of that vessel, whom we are happy to report are free from all disease, and enjoying the most perfect state of health.

In reference to the impression which has lately excited much general alarm in the settlement, relative to the prevalence of Cholera Morbus, we are enabled to state with much pleasure after the most sedulous investigation, that it appears to us to be wholly unfounded, and that we have not detected a single authenticated case of this dangerous disease.

We beg further to add, that such derangement of the bowels as have recently fallen under our notice, have been of the ordinary description, and unattended with any symptoms which can justify either suspicion or alarm.

GEO. ALEXANDER, *Actg. Supt. Surgeon.*  
B. C. HENDERSON, *Assistant Surgeon.*  
GEO. LITTLE, *Assistant Surgeon.*

Fort Cornwallis, June 15, 1819.

*Kurnaul.*—A letter from this station, dated the 5th of July, mentions the arrival there of the 2nd Battalion 5th Regiment, on the 28th of June, under Major Patten, and of the 6th Light Cavalry, under Major Thomson, on the morning the letter was written.

"There is a report here, says the writer, that His Lordship is coming up the country this year. Some say that he is going

to settle the Sikh provinces between this and the Sutluj, and that this is the cause of the troops drawing gradually towards this quarter.

A few months ago we had on this frontier only two Battalions of Native Infantry; now we have four, besides a Regiment of Horse, and some say there are more still coming.

A Campaign in the Sikh country would be more popular than a march into Rajpootana, where (whatever interested people may write in the Papers to the contrary,) they are wretchedly off for common necessities, and the very water which they get after sinking wells of seventy or eighty feet deep, is frequently so salt, that it cannot be used even to water a garden, if indeed they had a garden to water.

I should not be at all surprised if the cantonments were obliged to be removed to some place where better quarters may be procured, although several Officers have built houses at a great expence; but there are no public works yet built, so that in case the removal should happen, the Government will not lose by it."

*Jionpore.*—Our scientific and intelligent Correspondent from this station, has furnished us, in a Letter dated the 15th of July, with the following information:

"From the 23d of June to the 1st of July, the quantity of rain that fell here, was as follows:

June 23d, ...	0.16	June 27th, ...	0.0
24th, ...	0.26	28th, ...	1.36
25th, ...	0.55	29th, ...	.5
26th, ...	0.5	July 1st, ...	.62

Total 3.95

Since which we have had a strong east-wind without a drop of rain, and for the last three days we have resumed the use of tatties.

All the Indigo, Indian corn, and other grains of the season, which the rain had brought above ground have perished, excepting those which have been watered. Partial showers have occurred in the neighbourhood, but not enough to be of service.

I hear that the season has been equally unfavorable all along the north bank of the Ganges, west of Chuprah. In Goruckpore a little rain has fallen; Barley sells at seven seers of 96 rupees weight for the rupee, and other grain in the same proportion. The ryots are emigrating from every part of the country in northerly direction. I am told they go to the Turra,ee.

The sky has been cloudy during the whole of the day, ever since the east-wind commenced; but the clouds been confined to the enlightened half of the globe; for within an hour after sun-set they have always disappeared, and left the sky clear through the night and until the approach of sun-rise.

Since the first part of the month, the Barometer has ranged from 29.2 to 29.4."

## Military.

*General Orders, by His Excellency the Most Noble the Governor General in Council.*

FORT WILLIAM, JULY 17, 1819:

Captain C. H. Campbell, of the Artillery Regiment, is appointed to officiate as Assistant Secretary to Government in the Military Department, from the 1st proximo, on a staff salary of rupees (400) four hundred per mensem.

The Most Noble the Governor General in Council is pleased to make the following Removal and Appointment:

Lieutenant Colonel Robert Morrell, from the Cawnpore Provincial Battalion, to Command the Moorsheadabad Provincial Battalion, vice Captain Canning appointed Political Agent at Aurnagabad.



Lieutenant S. P. C. Hamfrays, of the 18th Regiment of Native Infantry, to be Sub-Assistant Commissary General, vice Hunter deceased.

The undermentioned Gentlemen having produced Certificates of their appointment as Cadets of Cavalry and Infantry on this establishment, are admitted to the Service accordingly, and severally promoted to the rank of Cornet and Ensign, leaving the dates of their Commissions to be adjusted hereafter.

*Cavalry.*—Mr. John Dixon Dyke.

*Infantry.*—Mr. James William Dunbar, Mr. Ninian Lewis, Mr. James George, Mr. Heary Cinamon Williams, and Mr. Edward Poole.

His Lordship in Council is pleased to transfer Local Cornet W. O'Brien, of Sneyd's Frontier Horse, to the Champaran Light Infantry Battalion as an Ensign with Local rank, to supply the vacancy occasioned by the decease of Local Ensign Cameron.

Serjeant Major Hubert Vanstraten, of the 2d Battalion 18th Regiment of Native Infantry, is admitted to the benefits of the Pension established by Minutes of Council of the 11th January, 1797, and permitted to reside and draw his stipend at Monghier.

Quarter Master Serjeant James Mason, of the 2d Battalion 26th Regiment of Native Infantry, is re-admitted to the benefits of Pension established by minutes of Council of the 11th January, 1797, with permission to reside and draw his stipend at Monghier.

Serjeant L. Laine is admitted to the benefits of the pension established by minutes of Council of the 11th of January, 1797.

Regimental and Battalion Staff Officers being no longer eligible to the command of Troops or Companies, are to be discontinued on the muster rolls of such; they are to be returned as "effective staff" on the strength of Corps, and mustered on the rolls of their respective Department.

The revised organization of the Ordnance Commissariat Department having introduced new ranks of warrant officers, and fixed the allowance of this class of public servants without specifying the net pay of each rank, which generally regulates the Furlough Pay, as well as the Retiring and the Invalid pension; the Most Noble the Governor General in Council, adverting to these circumstances, deems it proper to lay down a scale of Furlough Pay and Pensions to Warrant Officers, with attention to the rates already sanctioned by the Honourable the Court of Directors in the cases of Deputy Commissary and Conductor of Ordnance.

#### *Furlough Pay.*

	£	s.	d.
Commissary,..... Per Annum	182	10	0
Deputy Commissary,.....	91	5	0
Assist. Commissary and Deputy Assist. Commissary,.....	80	0	0
Conductor and Riding Master,.....	75	0	0
Sub-Conductor and Assistant Riding Master,.....	45	12	6

The indulgence of Furlough to Warrant Officers to be restricted as at present to cases of duly certified Sickness, when the Passage money of Subaltern, viz. 1500 Rupees, will be granted to Deputy Commissaries, Assistant Commissaries, and Deputy Assistant Commissaries, and an allowance of 1000 Rupees as passage money to Conductors, and all others of inferior rank.

#### *Retiring Pension.*

	£	s.	d.
Commissary,..... Per Annum	182	10	0
Deputy Commissary,.....	91	5	0
Assist. Commissary and Deputy Assist. Commissary,.....	74	2	9½
Conductor and Riding Master,.....	60	0	0
Sub-Conductor and Assistant Riding Master,.....	55	12	6

To entitle Warrant Officers to retire in Europe on the Pension of their respective ranks they must have served in India, and the Department for the periods prescribed in the Letter from the Honourable the Court of Directors, dated the 8th of April, 1807, published in Government General Orders of the 12th of October of the same year, viz.

#### *Invalid Pension.*

27 } Years in India, including { 12 } In the Department.
25 } Years in India, including { 14 } In the Department.
22 } Years in India, including { 17 } In the Department.

Warrant Officers, including those in the Medical branch of the Service, when transferred to the Invalid Pension Establishment, will receive the following allowances.

Commissary, Pay and half Batta of a Captain.

Deputy Commissary, Pay and half Batta of a Lieutenant.

Assistant Commissary, and Deputy Assistant Commissary, Pay and half Batta of an Ensign.

Conductor, Riding Master, Sub-Conductor, Assistant Riding Master, Pay and half Batta of their respective Ranks.

Apothecary,.....	Per mensem, St. Rs.	60
Assistant Apothecary,.....		32
Hospital Steward,.....		50
Assistant Hospital Steward,.....		32

The existing rule by which Warrant Officers are not eligible to the Invalid Pension Establishment until reported incapable of further duty in the effective branch of the Service, is to continue in force.

When a Warrant Officer is deemed unequal to the discharge of his duties, the nature of his case is to be ascertained by a Medical Committee, composed of two or more Medical Officers, of which the senior Medical Officer at the station is always to be President.

The proceedings of the Committee are to be submitted to Government with the Commander in Chief's recommendation for transferring a Warrant Officer to the Invalid Pension list.

If a Warrant Officer when transferred to the Invalid Pension establishment, shall not have served due half the period in India, and in the Department to which he belongs, as already specified, he will be entitled to the Pension only of the rank next below that which he holds at the date of transfer. A roll shewing the individual's length of Service in India, and the Department, to be furnished to Government on such occasions.

The pensions granted under the present regulation are to be considered inclusive of those which Warrant Officers are entitled to from Lord Clive's Fund.

Although it has not been deemed necessary to admit the Warrant Medical Officers to the benefits of Furlough, or to retire on a Pension in Europe, yet should any individual of this class establish a fair claim to the indulgence, the Governor General in Council will be prepared to give the circumstances of his case a favourable consideration, on their being brought under his notice by the Commander in Chief.

Warrants will be issued to the several description of Warrant Officers mentioned in this order, chargeable with the following fees.

Commissary,.....	Sa. Rs.	45
Deputy Commissary,.....		35
Assistant Commissary,.....		30
Deputy Assistant Commissary,.....		25
Conductor and Riding Master,.....		20
Sub-Conductor and Assistant Riding Master,....		15
Apothecary,.....		20
Steward,.....		15
Assistant Apothecary,.....		10
Assistant Steward,.....		10

In order to prevent misapprehension on the part of Commanding Officers of Districts or others, the Most Noble the Governor General in Council is pleased to direct, that, with reference to General Orders of the 3d of June last, the charge and construction of all Public Buildings shall remain with and be carried on by the Officers at present in charge, whether of the Commissariat or others, until instructions are received for their regular transfer from the Military Board, to whom the orders of Government have been communicated on the subject.

W. CASEMENT, Lieut. Col. Sec. to Govt. Mily. Dept.

General Orders, by the Commander in Chief, Head-quarters, Calcutta, July 17, 1819.

Assistant Surgeon Bellamy, doing duty with the 1st Battalion 20th Regiment N. I. is posted to the 2nd Battalion 14th Regiment at Dinapore, and directed to join with all convenient expedition.

Assistant Surgeon Wray, is posted to the Honourable Company's European Regiment, but will continue in medical charge of the 2nd Battalion 14th Regiment, until relieved by Mr. Bellamy.

The Serjeants and Corporals of Artillery appointed to the Rungpore Local Battalion, and to the Chumparun and Goruckpore Light Infantry Battalions, with the Gun Lascars, transferred

to those corps under the arrangement, published in General Orders on the 3rd instant, are to proceed to their destinations by water. By the same opportunity the Golundaux now at Dum-Dum, belonging to the 9th Company 4th Battalion Artillery Regiment, will join the Head-quarters of the Company at Dinapore.

The undermentioned officers have leave of absence:

Lieutenant Odell, 1st Battalion 21st N. I. from 10th August to 10th November, to visit the presidency, preparatory to applying for permission to proceed to Fort St. George, on private affairs.

Lieutenant Hamfrays, 1st Battalion 18th N. I. from 1st August to 1st December, to visit the presidency, preparatory to applying for permission to proceed to sea for the benefit of his health.

*Head-quarters, Calcutta, July 19, 1819.*

Assistant Surgeon J. Hall, attached to the 1st Battalion 25th Regiment, is posted to the Sirmoor Battalion, in room of Assistant Surgeon Ledman, removed to the former Corps.

The undermentioned Officers have leave of absence.

Major Lamb, 1st Battalion 26th Regiment, to proceed to the Presidency, in order to go to Sea, on Medical Certificate, from the 30th of June, to the 31st of October.

Cornet Kerr, Snod's Horse, on his private affairs, to proceed to Benares, from the 3d of July, to the 1st of September.

*Head quarters, Calcutta, July 20, 1819.*

In consideration of circumstances which have been represented by the Clothing Board, the Commander in Chief is pleased to sanction the preparation of the Clothing for 1819 for Provincial Battalions according to the pattern which has heretofore been followed.

Circumstances not admitting of any Saddles or other Horse appointments being transferred from the Cavalry Depot, the direction to that effect, given in General Orders of the 14th of April last, is cancelled; and Officers Commanding Regiments of Light Cavalry will indent for the full number of those articles required for the additional Squadron.

JAS. NICOL, Adj. Genl. of the Army.

### Cholera Morbus.

*To the Editor of the Calcutta Journal.*

Sir,

I have just read with amazement your remark upon the Letter of Captain Loch, which lately appeared in the India Gazette; I perfectly agree with you in the opinion expressed in your Journal; and I must say, unpalatable as the declaration may appear, that I could not have believed such wanton callosity of heart, such apathy to the miseries of suffering humanity, could have existed in a single British breast, as the writing, and more particularly the publishing of that Letter indicates.

Of the state of the disease on board the ships in the river I have of course no means of obtaining information; but I submit the following extract of a Letter just received from a most respectable resident of the Tirhoot district.

"The Cholera here has of late been very severe; Laudanum and Calomel have often failed; out of one hundred and sixty hill-men who arrived here a few days ago, between seventy and eighty of them were served with it, and twenty-two died after getting medicine."

Another Letter, which I had yesterday an opportunity of perusing, mentions that at Dinapore, lately, in two days eleven men died belonging to the European Regiment; one hundred and eighty were in Hospital; and about the same number convalescents.

Tell this to the facetious gentleman of the *Bankshall* and his senseless and unfeeling defenders; and ask them, whether in the face of a British Public, such facts, are only calculated to excite derision and merriment!

*Cawnpore, July 12, 1819.*

HUMINATAS.

*Printed at the Union Press, in Garstin's Buildings, near the Bankshall and the Exchange.*

### Domestic Occurrences.

#### MARRIAGES.

At Calcutta, J. C. Burton, Esq. to Miss Caroline Farquhar.

#### BIRTHS.

- July 2. At Chittagong, the Lady of Charles Mackenzie, Esq. of the Civil Service, of a Daughter.  
8. At Futtighur, the Lady of Conductor Thorpe, of the Ordnance Commissariat, of a Son.

#### DEATHS.

- May 19. At Bencoolen, whether he had come for the purpose of proceeding to Sea for the benefit of his health, W. N. Brietzke, Esq. late Assistant to the Resident at Moco-Moco, and Son to the late Colonel Charles Brietzke, of the Bengal Establishment, aged 19 years.  
June 4. At Port Louis, William Toosey, Esq. late Acting Collector of Government Customs at Bencoolen.  
16. At Futtighur, Miss Mary Anne Davis, aged 8 years and 6 months—a most promising child.

#### *Subscriptions for the Inhabitants of Pitcairn's Island.*

We have to acknowledge the receipt of a letter from a philanthropic Friend at Jionpore, authorizing the payment of One Hundred Rupees on account of the Subscription invited on behalf of these Islanders, and suggesting several articles of probable utility to be sent to them.

We trust this laudable example will be followed up by others; but as it may not be in the power of every one to contribute so largely, we are authorized by Mr. Smith to say that the smallest donations will be received, and a statement exhibited to each of the Subscribers of the actual receipts and disbursements.

### Shipping Intelligence.

#### CALCUTTA ARRIVALS.

July.	Names of Vessels	Flags	Commanders	From whence	Left
23	Layton	British	W. Morgan	Madras	July 17
22	Glorious	British	J. Patterson	Madras	July 16
22	Sachem	Amer.	H. Bancroft	Penang	July 7
22	Fair Trial	British	C. F. Davis	Madras	July 2

#### CALCUTTA DEPARTURES.

(None)

### Nautical Notices.

The ship *Calcutta*, Captain J. R. Stroyan, for the Cape and Liverpool, will drop down the river and sail for her destination in four or five days.

The *Guide*, Captain Higgins, was to leave Penang on the 14th of June, for Calcutta, and on the 17th, the *Union*, Captain Skitter, for the Coast and Calcutta.

The *Edward Strettell*, for Madras, and *Hayston*, for the Coast and Calcutta, were to leave Port Louis a few days after the *Resource*, which has arrived here.

The ship *Belle Alliance* left Port Louis on the 5th of June for London, and the brig *Favorite* on the 9th for Batavia.

### Commercial Reports.

The following is extracted from a Bombay Price Current of the 28th of June:

The quantity of Cotton remaining to the northward does not exceed 12,000 bales, including Company's; the imports have fallen short this year compared with the last 58,675 Private and Company's 14,222 bales.

Achmood, best, 250; Surat, 250; Bownaghin, 240; Dolenah, 240; Cutch, 245; China Market, 192 to 205 Rupees per Surat Candy of 7 cwt. free on board.